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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

JAN 6 2011

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IN THE MATTER OF THE APPLICATION OF
TELEQUALITY COMMUNICATIONS, INC. FOR
APPROVAL OF A CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
PRIVATE LINE DATA SERVICES.

DOCKET NO. T-20626A-08-0484

DECISION NO. 72050

OPINION AND ORDER

DATE OF HEARING: September 28, 2010

PLACE OF HEARING: Phoenix, Arizona

ADMINISTRATIVE LAW JUDGE: Sarah N. Harpring

APPEARANCES: Mr. Michael T. Hallam, LEWIS AND ROCA, LLP, on behalf of TeleQuality Communications, Inc.; and
Ms. Maureen Scott, Senior Staff Counsel, Legal Division, on behalf of the Utilities Division of the Arizona Corporation Commission.

BY THE COMMISSION:

This case involves an application by TeleQuality Communications, Inc. ("TeleQuality") for a Certificate of Convenience and Necessity ("CC&N") to provide resold private line data services in the State of Arizona.

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. On September 19, 2008, TeleQuality filed with the Arizona Corporation Commission ("Commission") an application for a CC&N authorizing TeleQuality to provide resold and facilities-based private line data services in the State of Arizona and petitioning for its services to be classified as competitive. TeleQuality described the services to be rendered as resold and facilities-based, non-

1 switched, dedicated point-to-point data transport telecommunications services.

2 2. On June 5, 2009, TeleQuality filed a revised tariff, specifying that certain changes had
3 been made in response to Data Requests from the Commission's Utilities Division ("Staff").

4 3. On September 18, 2009, TeleQuality filed additional revised tariff pages.

5 4. On July 23, 2010, Staff issued a Staff Report, recommending approval of
6 TeleQuality's amended application, with conditions, including a condition to obtain a performance
7 bond or irrevocable sight draft letter of credit ("ISDLOC") in the amount of \$225,000.

8 5. On July 26, 2010, a Procedural Order was issued scheduling a hearing in this matter to
9 commence on September 28, 2010, at the Commission's offices in Phoenix, Arizona; requiring
10 TeleQuality to publish notice of its application and the hearing; requiring TeleQuality to file any
11 disagreements or comments regarding the Staff Report; requiring Staff to file copies of Staff's Data
12 Requests issued to TeleQuality; requiring TeleQuality to file copies of its data responses provided to
13 Staff; requiring TeleQuality to file an affidavit of publication; and establishing other procedural
14 requirements and deadlines.

15 6. On August 17, 2010, Staff filed copies of Staff's first and second data requests, issued
16 on November 14, 2008, and June 29, 2009, respectively.

17 7. On August 23, 2010, TeleQuality filed copies of its responses to Staff's first and
18 second data requests; an Affidavit of Publication showing that notice of the application and hearing
19 had been published in the *Arizona Republic* on August 13, 2010;¹ and a Response to Staff Report and
20 Amendment to Application ("Response"). In the Response, TeleQuality stated that it desired to
21 amend its application by eliminating its request for facilities-based authority, both because it had not
22 intended initially to provide facilities-based service and because of the performance bond/ISDLOC
23 recommendation made by Staff. TeleQuality stated that it desired to seek only resold private line
24 authority, requested that the hearing be vacated, and stated that Staff agreed that a hearing was not
25 necessary or required. TeleQuality further requested that the performance bond/ISDLOC
26 requirement be reduced to \$25,000, to be consistent with the performance bond requirement for a
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28 ¹ Official notice is taken of this filing, which was not offered or admitted into evidence at hearing.

1 resold local exchange provider, and added that it does not intend to collect deposits and that Staff
2 agrees that \$25,000 is the appropriate amount.

3 8. On August 25, 2010, a Procedural Order was issued ordering that the hearing
4 scheduled for September 28, 2010, proceed as scheduled and that all other provisions of the
5 Procedural Order issued on July 26, 2010, remain in effect.

6 9. On September 28, 2010, a full evidentiary hearing in this matter was held before a
7 duly authorized Administrative Law Judge of the Commission at the Commission's offices in
8 Phoenix, Arizona. TeleQuality and Staff appeared through counsel and provided evidence in the
9 form of testimony and exhibits. TeleQuality provided the testimony of Tim Koxlien, Chief Executive
10 Officer for TeleQuality.² Staff provided the testimony of Candrea Allen, Public Utility Analyst for
11 Staff. No public comment was received.

12 **Private Line Service**

13 10. Staff provided the following description of private line service and why it falls within
14 the Commission's jurisdiction:

15 Private line service is a direct circuit or channel specifically
16 dedicated to the use of an end user organization for the purpose of directly
17 connecting two or more sites in a multi-site enterprise. Private line service
18 provides a means by which customers may transmit and receive messages
19 and data among various customer locations over facilities operated and
20 provided by the Applicant. The Applicant is therefore engaged in
21 providing telecommunications service for hire to the public, which fits the
22 definition of a common carrier and a public service corporation.³

19 Ms. Allen testified that private line service is a separate category of service, being neither local
20 exchange service nor long distance service. (Tr. at 49.)

21 **Fitness and Properness to Obtain a CC&N**

22 11. TeleQuality is an S corporation formed in Texas on December 6, 2006, and authorized
23 to transact business in the State of Arizona since September 27, 2007. (Ex. A-1.) As of its
24 application and the Staff Report, TeleQuality was in good standing with the Commission's
25 Corporations Division. (Ex. A-1; Ex. S-1.) Currently, however, TeleQuality is not in good standing
26 with the Corporations Division because its 2010 Annual Report, which was due on September 27,
27

28 ² Mr. Koxlien is also the sole shareholder of TeleQuality. (Ex. A-1.)

³ Ex. S-1 at 4.

1 2010, is now delinquent.⁴

2 12. TeleQuality is certified to provide telecommunications services similar to the services
3 for which it is requesting Arizona CC&N authorization in Arkansas, California, Georgia, Indiana,
4 Minnesota, Missouri, Nebraska, Oregon, Texas, Utah, and Washington. (Ex. A-1; Tr. at 14.) As of
5 the hearing, TeleQuality was also seeking authorization to provide similar telecommunications
6 services in Kansas and New Mexico. (Tr. at 14.) TeleQuality also provides private line data and
7 Internet services in Alabama, Colorado, Florida, Illinois, Iowa, Kentucky, Mississippi, Pennsylvania,
8 Virginia, West Virginia, and Wisconsin, without the need for a CC&N or equivalent certification.(Ex.
9 A-1; Tr. at 14.)

10 13. TeleQuality stated in its application that neither it nor any of its officers, directors, or
11 managers has been or is currently involved in any formal or informal complaint proceeding before a
12 state or federal regulatory commission, administrative agency, or law enforcement agency.

13 14. TeleQuality stated in its application that neither it nor any of its officers, directors, or
14 managers has been or is currently involved in any civil or criminal investigation; has had judgment
15 entered in any civil matter; has had judgment levied by an administrative or regulatory agency; or has
16 been convicted of any criminal acts within the last 10 years.

17 15. Staff contacted the Public Utility Commissions of California, Georgia, Missouri,
18 Nebraska, and Washington and was told that TeleQuality has had no formal or informal complaints
19 filed against it in any of those states. (Ex. S-1.) Mr. Koxlien also testified that he is not aware of any
20 complaints filed against TeleQuality in any of the states in which it operates. (Tr. at 39.) Staff's
21 Consumer Services Section reported that there have been no complaints, inquiries, or opinions filed
22 regarding TeleQuality in Arizona. (Ex. S-1.)

23 16. Ms. Allen testified that TeleQuality is a fit and proper entity to receive a CC&N to
24 provide the services for which it has requested CC&N authority. (See Tr. at 51.)

25 **Technical Capabilities**

26 17. TeleQuality is a telecommunications carrier that is exclusively focused on serving the

27 ⁴ Official notice is taken of the results of a November 17, 2010, business entity search for TeleQuality using the
28 Commission's State of Arizona Public Access System ("STARPAS"), which is available through the STARPAS link
found on www.azcc.gov.

1 healthcare market, specifically by enabling rural healthcare providers to transmit electronic health
2 records from clinics to hospitals and to use telemedicine applications, such as televideo,
3 telepsychiatry, and teleradiology. (Tr. at 10-11.) TeleQuality's private networks are designed to
4 allow rural healthcare providers to obtain access to specialized healthcare services available in more
5 urban areas. (Tr. at 11.) TeleQuality's customers frequently use the networks for realtime televideo
6 applications to allow rural medical facilities to obtain specialist guidance remotely. (Tr. at 33-34.)

7 18. TeleQuality's network is made up largely of access to the Internet and other IP access,
8 which TeleQuality believes to be unregulated in Arizona. (Tr. at 11.) The modalities used include
9 satellite transmission through HughesNet, T1 types of access, DSL cable modems, or similar
10 technologies that TeleQuality can manage directly to healthcare providers' premises. (Tr. at 11-12.)

11 19. TeleQuality currently serves four customers in Arizona⁵ through four circuits. (Tr. at
12 22-23, 28.) TeleQuality acquired the right to serve the customers through an agreement with
13 Wholesale Carrier Services, Inc. ("WCSI"), which holds a CC&N in Arizona. (Tr. at 23.) Mr.
14 Koxlien explained that, before forming TeleQuality, he operated telecommunications sales agencies,
15 similar in concept to independent insurance agencies, and that one of his companies was an agent for
16 WCSI and in that capacity sold WCSI's telecommunications products to the four Arizona customers
17 prior to 2008. (See Tr. at 23, 28-29.) Upon forming TeleQuality, Mr. Koxlien entered into an
18 agreement with WCSI that allowed TeleQuality to acquire WCSI's existing customer base and fold it
19 into TeleQuality.⁶ (Tr. at 23-24.) The agreement was reached on a multistate level and also involved
20 customers in states other than Arizona. (Tr. at 30.) TeleQuality has been directly serving the four
21 Arizona customers since September 2008 and has not added any Arizona customers since obtaining
22 the customers from WCSI. (Tr. at 24, 30-31.) Mr. Koxlien testified that the four circuits are used for
23 "Internet access types of transmitting . . . radiology images, or just general public Internet
24 infrastructure access, or interactive video communication over [the] Internet." (Tr. at 32.)

25 ⁵ The customers include La Paz Regional Hospital in Parker, Arizona; two members of the consortium of the Northern
26 Arizona Regional Behavioral Health entity in Flagstaff; and a healthcare provider. (Tr. at 22-23.)

27 ⁶ Mr. Koxlien explained that WCSI has a business model somewhat similar to franchising, under which an agent can
28 sell WCSI's products and services for a specific period of time, during which time WCSI is the billing entity for the
products and services sold; then at the end of the period, the agent can continue the same arrangement or can opt to roll
those accounts into the agent's own business, essentially buying the customer base, which is what TeleQuality did. (See
Tr. at 29-30.)

1 20. TeleQuality currently has a wholesale agreement with Qwest. (Tr. at 26.) TeleQuality
2 does not intend to own any lines in Arizona, but instead only to use infrastructure that is resold from
3 incumbent local exchange carriers (“ILECs”) such as Qwest. (Tr. at 32-33.) TeleQuality chooses to
4 obtain the resold products from ILECs through wholesale agreements rather than interconnection
5 agreements because it does not desire to obtain a facilities-based CC&N in Arizona due to the
6 expense of doing so, such as the expense of obtaining a large performance bond/ISDLOC. (See Tr. at
7 24-25.) TeleQuality also chooses not to provide any voice communication that would connect to the
8 public switched telephone network. (Tr. at 33.)

9 21. Mr. Koxlien acknowledged that service failure can be a major issue in rural areas, but
10 explained that many of its network designs incorporate a disaster recovery plan to make sure that
11 communications links do not go down. (Tr. at 34.) Mr. Koxlien testified that this is especially
12 important because of federal requirements related to electronic health records. (See *id.*) Depending
13 on customer budgets, TeleQuality may offer a satellite connection backup in case the cable
14 connection, wireline, or DSL connection goes down, or vice versa, to create a diverse route in a
15 diverse path. (Tr. at 35.) Mr. Koxlien stated that most outages result from cable cuts and can take
16 hours, days, or even a couple of weeks to repair, depending on the environment and weather. (See
17 *id.*) When there has been a malfunction or line cut, TeleQuality contacts the underlying carrier or
18 service provider for repair such as HughesNet for a satellite connection or the ILEC for a line cut,
19 because the underlying carrier or provider has responsibility to perform under its agreement with
20 TeleQuality. (See Tr. at 35-36.)

21 22. Mr. Koxlien testified that all of TeleQuality’s customers have at least one location that
22 is involved in the federal Universal Service Fund (“USF”), so the customers are very experienced in
23 negotiating contracts through the competitive bidding process required for the USF. (Tr. at 38.) A
24 healthcare provider who desires to get funding from the USF must post a request for bids and seek
25 out service providers to respond to that request. (Tr. at 39.) Through this bidding process,
26 TeleQuality has received new requests for service in Arizona. (*Id.*)

27 23. TeleQuality does not plan to have any employees in Arizona or to establish a customer
28 service center in Arizona. (Ex. S-1.) TeleQuality currently employs 10 individuals, all of whom are

1 located at the headquarters in Texas. (*Id.*) TeleQuality has a toll free number available at all times
2 for customer service, technical support, and inquiries. (*Id.*)

3 24. TeleQuality has three directors: Mr. Koxlien; Jeffery Reynolds, who also serves as
4 President of the company; and James Harff. (Ex. S-1.) Mr. Koxlien has 22 years of experience in the
5 telecommunications industry related to sales of voice, data, and video hardware and network services.
6 (*Id.*) Mr. Reynolds has more than 33 years of experience in various business operational capacities,
7 including process control, organizational leadership and development, and business startup. (*Id.*)
8 Mr. Harff possess at least eight years of experience in government relations, public policy
9 management, and media relationships. (*Id.*)

10 25. Staff asserted that TeleQuality possesses the technical capabilities to provide the
11 services it is requesting the authority to provide. (Ex. S-1.)

12 **Financial Resources**

13 26. TeleQuality reports that it has current annualized revenues of \$3 million and no debt
14 and that it is thus in a superior financial position that limits risk to Arizona consumers. (Ex. A-1; Tr.
15 at 14.) TeleQuality estimates that it will generate \$102,000 in revenue for service in Arizona and will
16 incur \$60,000 in Arizona operating expenses during the first 12 months following receipt of its
17 CC&N and that it will have no assets in Arizona at the end of the first 12 months of operations. (Ex.
18 A-1; Tr. at 14-15.)

19 27. Ms. Allen testified that TeleQuality has the financial capability to provide the services
20 for which it is seeking CC&N authority. (Tr. at 51.)

21 **Competitive Services/Proposed Rates**

22 28. TeleQuality has requested that the services to be provided under its CC&N be
23 classified as competitive and cited to Decision No. 67062 (June 25, 2004) in support of that request.
24 (Ex. A-1.) Decision No. 67062 involved OnFiber Carrier Services, Inc., which intended to provide
25 non-switched, high speed, dedicated private line services and not to provide any dialtone services.
26 (Decision No. 67062 at 2.) In that Decision, which was characterized as the first in which an
27 applicant had sought authority to provide only private line services, the Commission found that
28 private line services are competitive, as numerous entities, both incumbent and otherwise, had been

1 authorized to provide them. (*See id.* at 3, 4.)

2 29. Staff acknowledged that private line services have previously been classified as
3 competitive by the Commission and further stated that TeleQuality will be providing service in areas
4 where an ILEC and various competitive local exchange carriers ("CLECs") and interexchange
5 carriers ("IXCs") already provide service. (Ex. S-1.) Staff further asserted that there will be
6 alternatives to TeleQuality's service and that TeleQuality will need to convince customers to
7 purchase its services. (*Id.*) According to Staff, TeleQuality generally will not be able to exert market
8 power, and the competitive process should result in rates that are just and reasonable. (*Id.*) Staff
9 explained that rates for competitive services generally are not set according to rate-of-return
10 regulation and that, although Staff obtained and considered the fair value rate base information
11 received from TeleQuality, the information was not accorded substantial weight in Staff's analysis of
12 TeleQuality's proposed rates. (*Id.*) Staff reviewed the maximum and actual rates proposed to be
13 charged by TeleQuality and determined that the proposed tariff rates are similar to those of other
14 carriers in Arizona. (*Id.*) Staff also determined that TeleQuality's proposed tariffs comply with the
15 requirement for both the initial rate and the maximum rate to be listed for each competitive service.
16 (Tr. at 49.) TeleQuality's proposed tariff allows it to offer individual case basis pricing by contract to
17 customers who need individual offerings not specifically available under its tariff. (Ex. A-1; Ex. S-
18 1.)

19 Performance Bond/ISDLOC

20 30. TeleQuality does not collect deposits from its customers, and its proposed tariff does
21 not allow it to do so. (Ex. A-1; Ex. A-2.)

22 31. At hearing, Staff revised its performance bond/ISDLOC recommendation, reducing
23 the amount to \$25,000, as TeleQuality now is only requesting authority to provide resold private line
24 services rather than both resold and facilities-based services. (Tr. at 44.)

25 Regulatory Requirements

26 32. Commission rules require a telecommunications company to file a tariff for each
27 competitive service that states the maximum rate as well as the effective (actual) price that will be
28 charged for the service. Under A.A.C. R14-2-1109(A), the minimum rate for a service must not be

1 lower than the total service long-run incremental cost of providing the service. Any change to the
2 effective price for a service must comply with A.A.C. R14-2-1109, and any change to the maximum
3 rate for a tariffed service must comply with A.A.C. R14-2-1110.

4 33. A.A.C. R14-2-1901 et seq. establish requirements to protect Arizona consumers from
5 unauthorized carrier changes (“slamming”) and apply to each public service corporation providing
6 telecommunications services within the State of Arizona and over which the Commission has
7 jurisdiction.

8 34. A.A.C. R14-2-2001 et seq. establish requirements to protect Arizona consumers from
9 unauthorized carrier charges (“cramming”) and apply to each public service corporation providing
10 telecommunications services within the State of Arizona and over which the Commission has
11 jurisdiction.

12 35. A.A.C. R14-2-1107 requires a competitive telecommunications service provider to file
13 an application for authorization with the Commission before it discontinues service; the rule also
14 establishes customer notice requirements and other requirements related to discontinuance of service.

15 **Staff’s Recommendations**

16 36. Staff believes that no Commission approval was required for the transfer of WCSI’s
17 customer base to TeleQuality because the circuits at issue are resold from the underlying carriers’
18 interstate tariffs, and more than 10 percent of the use on the circuits is interstate traffic (Internet
19 access).⁷ (Staff LFE.) Ms. Allen also testified that no adverse action should be taken against
20 TeleQuality for serving the four customers without having first obtained its CC&N because there is
21 still confusion regarding the Commission’s prior policy of allowing resellers to serve customers in
22 Arizona while their CC&N applications were pending, and TeleQuality has not served any Arizona
23 customers beyond the four transferred from WCSI. (See Tr. at 44-45, 48, 51.)

24 37. Ms. Allen testified that, in Staff’s opinion, it is in the public interest to grant
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26 ⁷ TeleQuality explained that the Federal Communications Commission’s (“FCC’s”) “Ten Percent Rule” states that a
27 mixed-use private line is classified as interstate for jurisdictional purposes if interstate traffic makes up more than 10
28 percent of its total traffic. (Co. LFE (citing *In re MTS and WATS Market Structure, Amendment of Part 36 of the
Commission’s Rules and Establishment of a Joint Board*, 4 F.C.C.R. 5660 (1989) (“*MTS and WATS*”).) We take official
notice of *MTS and WATS*, in which the FCC revised 47 C.F.R. § 36.154(a) by establishing a 10-percent standard to
distinguish between state private lines/WATS lines and interstate private lines/WATS lines. (See 4 F.C.C.R. at 5661.)

1 TeleQuality's application for a CC&N. (Tr. at 51.)

2 38. Staff recommends approval of TeleQuality's application to provide resold, non-
3 switched private line telecommunications services in Arizona and further recommends:

- 4 a. That TeleQuality be ordered to comply with all Commission rules, orders, and
5 other requirements relevant to the provision of intrastate telecommunications
6 services;
- 7 b. That TeleQuality be required to notify the Commission immediately upon
8 changes to TeleQuality's name, address, or telephone number;
- 9 c. That TeleQuality be ordered to cooperate with Commission investigations,
10 including but not limited to those regarding customer complaints;
- 11 d. That the Commission authorize TeleQuality to discount its rates and service
12 charges to the marginal cost of providing the services;
- 13 e. That TeleQuality's proposed services be classified as competitive; and
- 14 f. That if, in the future, TeleQuality wants to collect advances, deposits, or
15 prepayments from any of its customers, TeleQuality be required to file an
16 application with the Commission, for Commission approval, which application
17 shall reference this Decision and shall explain TeleQuality's plans for
18 increasing its performance bond/ISDLOC.

19 39. Staff further recommends that TeleQuality be ordered to comply with the following
20 and that its CC&N be rendered null and void, after due process, if it fails to do so:

- 21 a. TeleQuality shall, within 365 days from the date of an Order in this matter or
22 90 days prior to providing service,⁸ whichever comes first, docket conforming
23 tariffs for private line service, which tariffs shall coincide with the application
24 and state that TeleQuality does not collect advances, deposits, and/or
25 prepayments from its customers;
- 26 b. TeleQuality shall procure a performance bond or ISDLOC in the amount of
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28 ⁸ We interpret this to mean providing any additional private line service to any of its four existing customers or providing any private line service to any new customer.

1 CC&N to provide competitive telecommunications services.

2 5. Pursuant to Article XV of the Arizona Constitution and the Arizona Revised Statutes,
3 it is in the public interest for TeleQuality to provide the telecommunications services for which it has
4 requested authorization in its application.

5 6. TeleQuality is a fit and proper entity and has the technical capabilities and financial
6 resources necessary to receive a CC&N to provide resold private line data services.

7 7. The telecommunications services that TeleQuality desires to provide are competitive
8 in Arizona.

9 8. Pursuant to Article XV of the Arizona Constitution and 14 A.A.C. 2, Article 11, it is
10 just and reasonable and in the public interest for TeleQuality to establish rates and charges for
11 competitive services that are not less than TeleQuality's total service long-run incremental costs of
12 providing the competitive services approved herein.

13 9. Staff's recommendations set forth in Findings of Fact Nos. 38 through 40 are
14 reasonable and should be adopted.

15 10. The condition described in Findings of Fact No. 42 is just and reasonable and in the
16 public interest and should be adopted.

17 11. TeleQuality's FVRB is not useful in determining just and reasonable rates for the
18 competitive services it proposes to provide to Arizona customers.

19 12. TeleQuality's rates, as they appear in its proposed tariffs, are just and reasonable and
20 should be approved.

21 **ORDER**

22 IT IS THEREFORE ORDERED that the application of TeleQuality Communications, Inc. for
23 a Certificate of Convenience and Necessity to provide resold private line data services in Arizona is
24 hereby granted, conditioned upon compliance with Staff's recommendations set forth in Findings of
25 Fact Nos. 38 through 40 and with the requirements of the following ordering paragraph.

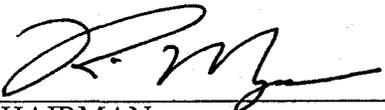
26 IT IS FURTHER ORDERED that TeleQuality Communications, Inc. shall promptly file its
27 2010 Annual Report with the Commission's Corporations Division and shall, within 60 days after the
28 effective date of this Decision, file with the Commission's Docket Control, as a compliance item in

1 this Docket, a Certificate of Good Standing establishing that TeleQuality Communications, Inc., is
2 once again in good standing with the Commission's Corporations Division.

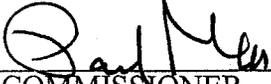
3 IT IS FURTHER ORDERED that if TeleQuality Communications, Inc. fails to meet the
4 conditions outlined in Findings of Fact No. 39 or the second ordering paragraph herein, within the
5 timeframes therein, the Certificate of Convenience and Necessity conditionally granted herein shall
6 become null and void after due process.

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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11 CHAIRMAN

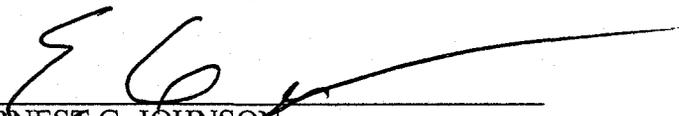

COMMISSIONER

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13 COMMISSIONER


COMMISSIONER


COMMISSIONER

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15 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
16 Executive Director of the Arizona Corporation Commission,
17 have hereunto set my hand and caused the official seal of the
18 Commission to be affixed at the Capitol, in the City of Phoenix,
19 this 6th day of January, 2010.
20 2011

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23 ERNEST G. JOHNSON
24 EXECUTIVE DIRECTOR

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26 DISSENT _____

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28 DISSENT _____
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SERVICE LIST FOR:

TELEQUALITY COMMUNICATIONS, INC.

DOCKET NO.:

T-20626A-08-0484

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